

of lessons in patriotism in the public schools of this State, for the proper display of the United States flag in connection with every public school of the State, and directing the State Superintendent, county and city superintendents in the discharge of their duty relative thereto, and providing an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Faust, Page, Dayton, Gibson, Lattimore, Buchanan of Scurry, Alderdice, Bailey, Hall, Smith.

NINTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, March 7, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

Smith.

Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Bailey for today, on account of sickness, on motion of Senator Clark.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House Bill No. 14, by the following vote: Yeas, 99; nays, 5.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills and Resolutions.

By Senators Alderdice, McNealus and Robbins:

S. B. No. 22, A bill to be entitled "An Act to provide for the creation of conservation and reclamation districts within this State under and by virtue of the provisions of Section 59 of Article 15 of the State Constitution, to be known as Levee Improvement Districts, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

Simple Resolution No. 28.

Whereas, The Hon. W. M. Imboden, an ex member of this body is now in the city; therefore be it

Resolved, That he be extended the privilege of the floor and be requested not to speak.

STRICKLAND.

McNEALUS.

The resolution was read and adopted. Ex-Senator Imboden was introduced to the Senate and made a brief address.

Simple Resolution No. 29.

Whereas, The handsome, rich, de-

bonair ex-Senator from Brazos, Hon. J. R. Astin, is in the city; and,

Whereas, He is still eligible and eloquent; therefore be it

Resolved, That he be accorded the privilege of the floor of the Senate, and be invited to address the Senate for not to exceed one hour.

DECHERD.
BEE.

The resolution was read and adopted and the Hon. J. R. Astin addressed the Senate.

Morning call concluded.

Messages from the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on House Bill No. 15, by the following vote: Yeas, 108; nays, 0.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which the Senate amendments to House Bill No. 14 were concurred in, and does not concur in said amendments. The appointment of a Free Conference Committee is requested.

The following have been appointed on part of House.

Messrs Bledsoe, Thomason of El Paso, Carlock, Cope, and Spencer.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

(Senator Page in the Chair.)

House Bill No. 18.

The Chair laid before the Senate as special order and on second reading:

H. B. No. 18, A bill to be entitled "An Act authorizing counties acting

through their commissioners courts, to purchase seed to be planted on farms in such counties by residents thereof who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, etc. and declaring an emergency."

The bill was read and the committee report that the bill be printed in the Journal only was adopted.

Senator Woodward offered the following amendment which was read:

Amend section 2 of bill so that same shall hereafter read as follows:

Section 2. All persons entitled to seed and feed for stock, and wishing to avail themselves of the benefits of this Act shall file with the county clerk of the county where such applicant resides, on or about the 1st day of September, A. D. 1918, an application duly sworn to before some officer authorized to administer oaths; such application shall be in such form as may be prescribed by the Attorney General of the State of Texas, and shall be in the nature of a chattel mortgage. Such application shall contain a true statement of the location and number of acres the applicant intends to plant; how many bushels or pounds, and the kind and character of seed were required to seed said ground, and the number and kind of work stock he intends to work on such lands. Said application shall show that the applicant has not procured and is not able to procure the necessary seed and feed for the current year. That he desires such seed and feed for no other purpose than that specified by this Act, and that he will not sell or store the same or any part thereof, or permit same to go to waste, but will use the same, and the whole thereof, in planting and working the crops on the land specified in his application.

Said application shall also set forth the location and ownership of said lands, with sufficient clearness to identify its location, which the applicant expects to work. The application shall also contain a true and full description of all the real and personal property owned by the applicant, and all the incumbrances and liens thereon. It shall also state what property, if any, he expects to acquire on or before the 1st day of

September, A. D. 1918. He shall also state what, if anything, he owes, and to whom, giving his post office address and the amount then owing, and the said applicant shall further state the length of time he has resided in said county, and the post office address of his former residence, and such additional reference as may be required.

All applications filed under the provisions of this Act shall be consecutively numbered, and shall be open to public inspection, and no application shall be considered by the Board of County Commissioners except such as have been made and filed in the manner prescribed in this Section.

All applications shall be on forms prescribed and furnished to the different counties applying therefor and operating hereunder, by the Attorney General of the State of Texas.

WOODWARD.

Senator Lattimore offered the following substitute for the pending amendment:

(1) Amend House Bill No. 18 by striking out the words "Commissioner of Agriculture" wherever they occur in the caption and the bill and insert in lieu thereof the words "Governor of Texas."

LATTIMORE.

Senator Clark, in discussing the substitute, sent to the secretary's desk and had read as a part of his remarks the following letter:

State Department of Agriculture.

Austin, Texas, Aug. 18, 1917.

To Officers of Local Institutes.

In accordance with the action of the State Institute at its recent session the executive committee has authorized me to collect \$1.00 from each local institute for the purpose of raising a fund to be used in furthering the cause of the institutes in legislation and other matters. I am, therefore requesting that you take this matter up and remit promptly.

This is the first assessment ever put upon an institute, as all expenses for maintaining headquarters and lecture courses are paid by the State appropriations. The State is also maintaining experts to assist you with various problems, but the State appropriations are very unflexible, being for certain stipulated purposes. A

fund is badly needed which can be used for the purpose of defraying expenses of your executive committee should they need to look after your legislative business and any other interests that might come, the expenses of which cannot be met by public appropriation. The Secretary is an employe of this Department and will, therefore, draw no salary out of this fund, so it can all be used directly in the interests of the organization. I assure you that it will be economically and honestly expended. This is but a very small assessment. I feel sure that you will have no difficulty in raising it immediately and send it in to us, for the quicker you can do so, the better, because public interests are up now which are of great interest to the farmers of this State.

Hoping to secure a prompt response, I am,

Fraternally yours,

FRED W. DAVIS,

President of the Institute.

Unanimous consent was given to have the foregoing printed in the Journal.

Action then recurred upon the substitute for the pending amendment, and the same prevailed.

The amendment as substituted was then adopted.

Senator Woodward offered the following amendment which was read as follows:

(2) Amend Section 13 of the bill so that same shall hereafter read as follows:

Section 13. It is further provided that on application of any county by its commissioners court, showing that it has no further funds, or will have no funds which may be used for the purposes herein contemplated, or that it has insufficient funds for such purposes, the State of Texas shall advance to such county such sum of money as may be necessary for the purposes contemplated by this Act, not to exceed thirty thousand (\$30,000.00) dollars to any one county. The county receiving such advancement shall repay the same in not to exceed five years, making an annual payment of not less than one-fifth (1-5) thereof each year. The fund so advanced to the county shall be repaid, together with four per cent (4 per cent) interest on the sum advanced.

The application of any county for State aid in this manner shall be made to the Governor of the State of Texas, who shall immediately refer same to the State Council of Defense, whose duty it shall be to investigate the conditions in such county, and if they determine that the amount of aid applied for is necessary, they shall approve such application for aid and immediately present the same to the Comptroller of the State of Texas, who shall issue his warrant on the Treasury of this State in favor of the county for the amount approved by the State Council of Defense.

All counties receiving State aid shall execute an obligation of the county, payable to the State of Texas, which obligation shall be authorized by the commissioners court of the county receiving such aid, and the form of such obligation shall be prescribed by the Attorney General of the State of Texas, and the proceedings of such commissioners court shall be subject to review by the Attorney General.

WOODWARD.

Senator Woodward offered the following amendment to the pending amendment:

Amendment No. 1, to amendment No. 2.

Amend the amendment by striking out the words "who shall immediately refer same to the State Council of Defense."

WOODWARD.

Senator Buchanan of Scurry moved to table the amendment to the amendment, which motion to table was lost by the following vote:

Yeas—8.

Alderdice.	Floyd.
Buchanan of Scurry.	Johnson of Hall.
Collins.	McNealus.
Dayton.	Robbins.

Nays—12.

Bee.	Hopkins.
Caldwell.	Johnston of Harris.
Dean.	Parr.
Faust.	Suiter.
Gibson.	Westbrook.
Henderson.	Woodward.

Present—Not Voting.

Buchanan of Bell. Decherd.

Hall.	Strickland.
Page.	

Absent.

Clark.	Smith.
Lattimore.	

Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

Action then recurred upon the amendment to the amendment and same was adopted.

Senator Woodward offered the following amendment to the pending amendment which was read and adopted:

Amendment No. 2 to amendment No. 2.

Amend the amendment by striking out in paragraph 2, the following words, "by the State Council of Defense."

WOODWARD.

Senator Dean offered the following amendment to the pending amendment, which was read and adopted:

Amend the amendment, section 13 thereof, by striking out the word "five" before the word "years" and substituting in lieu thereof the word "two;" and by striking out the word "one-fifth" and inserting in lieu thereof "one-half."

DEAN.

Action then recurred upon the pending amendment as amended, and the same was adopted.

Senator Woodward offered the following amendment which was read:

Amend the bill by adding thereto Sections 13a and 13b as follows:

Section 13a. In addition to the powers herein provided, for financing the farmers in the drouth stricken districts of Texas, authority is hereby conferred on the State Council of Defense, to organize groups of farmers of not less than twenty in number, who may execute joint notes and give such security therefor, as they may have or may become possessed of before the date of payment of such joint note. The notes, so given, shall be made payable to the bank or commercial institution most convenient to such group of organized farmers, and may be rediscounted by such commercial or banking institution with the Federal Reserve Bank of this district, or

any member bank or banking institution. Any such notes, and security given shall operate as a first mortgage lien on all crops planted, or to be planted, during the year, by each and every person, or persons, and designated by each of them in such mortgage liens in signing such joint note or obligation; and it shall be unlawful for any signer of such joint note to sell, or dispose of any part of any crops grown by him, which are mortgaged to secure such joint note before such note is paid, without the consent of the original holder of such note. Such mortgage lien shall likewise cover any advances made for the purpose of gathering such crop or crops so made. Any note, or notes, given by any original group of farmers shall be due within a period of time, of not more than six months from the date given, but may be renewed at the expiration of the time due, with the consent of the original payee of such note. Provided, however, that any number of farmers, not less than twenty in number, that are now organized, under authority of law, may avail themselves of the provisions of this Section.

Section 13b. The sum of fifteen thousand (\$15,000.00) dollars, or so much thereof as may be necessary, is hereby appropriated to defray the expense of the State Council of Defense, in carrying out the provisions of this Act, and they shall have authority to employ such number of persons as may be necessary, at such salaries as they may deem just and proper, provided, however, that no employe shall be a member of the Legislature of the State of Texas, or a candidate therefor; and provided further, that the maximum salary of such employe shall not be more than \$1800.00 per year.

WOODWARD.

Senator Buchanan of Scurry moved to table the amendment.

Senator Hopkins made the point of order that the amendment is not germane to the bill.

The Chair overruled the point of order.

Action recurred upon the motion to table the amendment and the same prevailed.

Senator Strickland offered the following amendment which was read:

(3) Amend House Bill No. 18 by adding Section 1a, as follows:

Section 1a. It is further provided that if the person making application for aid is a tenant, the commissioners court shall, before granting the application, require that the landlord of said tenant file a statement in writing, as herein required, and properly sworn to, stating he is unable to finance in making the crop.

STRICKLAND.

Senator Dayton moved to table the amendment and this motion prevailed.

Senator Dayton offered the following amendment which was read and adopted:

(4) Amend House Bill No. 18 by striking out all of Section 2, of the engrossed rider with the words "Amend House Bill No. 18, page 6, etc." down to and including the words "its command."

The bill was read second time and passed to its third reading.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 18 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Robbins.
Floyd.	Sulter.
Gibson.	Westbrook.
Hall.	Woodward.

Present—Not Voting.

Collins.	Strickland.
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Absent.

Clark.	Smith.
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Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Parr.
Decherd.	Robbins.
Faust.	Suiter.
Floyd.	Westbrook.
Hall.	Woodward.
Henderson.	

Nays—2.

Collins.	Page.
Present—Not Voting.	
Dean.	Strickland.
Gibson.	

Absent.

Smith.	
Absent—Excused.	
Bailey.	McCollum.

Reason for Vote.

I am present, not voting on House Bill No. 18. I am in hearty sympathy with the purposes of the bill, and candidly believe that the people of the West deserve the relief. But because of the opinion that the bill is unconstitutional, and because of the further fact that I am in favor of the purposes of the measure, I am present, not voting.

STRICKLAND.

House Bill No. 15—Free Conference Committee Report.

Senator Dean offered the following which was laid before the Senate:

Austin, Texas, March 7, 1918.

Hon. F. O. Fuller, Speaker of House of Representatives.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sirs: Your Free Conference Committee on House Bill No. 15, have had under consideration the Senate amendments to said bill and have agreed to recommend and do here now recommend that the Senate recede from its amendments Nos. 3, 4 and 6.

We also recommend that the House concur in Senate amendments

to said bill, other than said amendments Nos. 3, 4 and 6.

Respectfully submitted,

DEAN,
LATTIMORE,
PAGE,
BEE,
CLARK,

On the part of the Senate.

MILLER of Dallas,
BLEDSON,
THOMASON of El Paso,
SPENCER of Wise,
JOHNSON of Blanco,

On the part of the House.

The report was read and adopted by the following vote:

Yeas—26.

Alderdice.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.

Absent.

Smith.	Strickland.
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Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

Recess.

At 12:10 o'clock p. m. the Senate, on motion of Senator Clark, recessed until 2:30 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Decherd.

Messages From the Governor.

The private secretary to the Governor here appeared at the bar of

the Senate with several executive messages.

The same were laid before the Senate and read, as follows

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Senator J. J. Strickland, I submit for your consideration an Act to authorize and empower the commissioners court of Anderson County, Texas, to cancel and revoke all previous orders of said court authorizing the issuance of road bonds under the provisions of Chapter 2, Title 18, of the Revised Civil Statutes of Texas, and under all acts amendatory thereof, and to annul the bond election at which such bonds were voted, where such bonds or the transcripts thereof have been disapproved by the Attorney General or where such bonds cannot be legally issued and offered for sale.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Senator Carlos Bee, I submit for your consideration the subject of amending the law so as to provide an increase in the salaries of county school superintendents.

In view of the fact that the salaries of county superintendents seem inadequate to their needs, and because of the numerous calls the national government is compelled to make upon the county superintendents for war service through the schools, I submit this proposition for your consideration.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. D. J. Neill, I submit for your consideration the subject of an Act

to amend the road law for Eastland County.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. C. O. Laney, I submit for your consideration the subject of amending Section 15, Chapter 5, of the laws passed by the First Called Session of the Thirty-fourth Legislature so as to permit co-operative savings and contract loan companies to invest their funds in United States Certificates of Indebtedness.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. J. T. Canales, I submit for your consideration an Act to authorize the commissioners courts of the various counties of this State to pay for the services of interpreters employed by the various courts in this State, and providing for the collection in civil suits of the sum of three (\$3.00) dollars as cost of interpreter in every civil suit where an interpreter is used.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. H. P. Davis, I submit for your consideration an Act to amend Article 637d of Section 2, Chapter 203, General Laws of the Regular Session of the Thirty-fifth Legislature, prohibiting overlapping road districts and requiring the commissioners courts in case one road district conflicts with or overlaps another road district, to pass an order correctly redefining it, and validating all overlapping road districts, except the part thereof which overlaps or embraces any portion of a contiguous road dis-

tract or road districts, and ratifying all regular and proper proceedings had with reference to bond issues therein.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. S. W. Tinner, I submit for your consideration an Act to amend Section 2, Chapter 169, Acts of the Thirty-third Legislature, Regular Session 1913, providing how live stock may be moved from quarantined territory, etc., so as to provide that live stock may be moved from such territory after inspection, etc., by licensed veterinary, etc.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Howard Bland, I submit for your consideration an Act to amend Article 889a, passed at the Regular Session of the Thirty-fourth Legislature, amending Chapter 6, Title 13, of the Penal Code of 1911, and which amendment relates to the closed season for killing of doves.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. J. A. Dodd, I submit for your consideration an Act to establish and create a Criminal District Court for Bowie County.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. L. G. Stewart, I submit for your consideration an Act to create

the Burkeville Independent School District in Newton County, Texas.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Leonard Tillotson, and Hon. Howard Bland, I submit for your consideration an Act to amend Sections 12 and 16 of Chapter 190, of the Acts of the Regular Session of the Thirty-fifth Legislature, creating a "State Highway Department," and which Sections relate to the allotment of the highway funds in aid of road construction; and to annual fees for registration of motor vehicles and motor cycles.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Howard Bland, I submit for your consideration an Act creating the Hutto Independent School District in Williamson County, Texas.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. B. F. Cadenhead, I submit for your consideration an Act creating and incorporating Lamkin Independent School District in Comanche County, Texas.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Geo. B. Terrell, I submit for your consideration an Act to amend Articles 3826, 3827 and 3828, of Title 57, Revised Civil Statutes of the State of Texas 1911, and add

thereto Articles 3828a and 3828b, defining commission merchants, and requiring them to take out a license through the Commissioner of Agriculture, paying a fee therefor.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: The Thirty-fifth Legislature during the First Called Session passed House Bill No. 87, "An Act to create a State Council of defense." In this Act the sum of \$10,000.00 was appropriated to defray the necessary expenses of the Council for the fiscal year ending August 31, 1917. The sum of \$15,000.00 was appropriated for the fiscal year ending August 31, 1918. At the close of the first fiscal year, there was an unexpended balance of about \$4,000.00 to the credit of the Council. This \$4,000.00 is no longer available for the current expenditures.

The Council of Defense has authorized an extensive campaign for increased production of food and feed. This campaign is being conducted at an expense of \$7,500.00. Of this amount, \$3,500.00 has been contributed by private enterprises, leaving a remaining expense of about \$4,000.00 to be defrayed by the Council.

The Council of Defense is interested in placing in effective operation House Concurrent Resolution No. 2, which provides for the registration of alien enemies and aliens now in the employ of the State and its municipalities. To defray the expense of carrying out the provisions of this Resolution an appropriation of \$250.00 will be needed.

Accordingly, I submit for your consideration the advisability of appropriating the sum of \$5,000.00 or as much thereof as may be necessary for the State Council of Defense for the purposes above indicated.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, March 7, 1918.

To the Texas Senate.

Gentlemen: In the list of recess

appointments submitted to your honorable body three days ago, one name was inadvertently omitted. I ask the advice, consent and confirmation of the Senate to the following recess appointment:

Mr. C. S. Clark of Hidalgo County, State Board of Water Engineers, Texas, vice Mr. E. B. Gore on the State Board of Water Engineers, December 3, 1917.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

The nomination was referred by the Chair to the Committee on Nominations of the Governor.

Bills and Resolutions.

(By unanimous consent.)

By Senator McNealus (by request):

S. B. No. 23, A bill to be entitled "An Act to amend Section 15 of Chapter 5 of the Acts of the First Called Session of the Thirty-fourth Legislature of the State of Texas, which Act was entitled 'An Act regulating the business of co-operative savings and contract loan companies,' so that hereafter such companies may invest their funds in mortgages which shall be a first lien on real estate located in any State of the United States of America, and further permitting such companies to invest their funds in Liberty Bonds and other certificates of indebtedness which have or may hereafter be authorized by the United States Congress; and declaring an emergency."

Read first time and referred to the Committee on Public Debts.

By Senator Suiter:

S. B. No. 24, A bill to be entitled "An Act to amend Article 637d of Section 2, Chapter 203, General Laws of the Regular Session of the Thirty-fifth Legislature, prohibiting overlapping road districts and requiring the commissioners courts in case one road district conflicts with, or overlaps another road district, to pass an order correctly redefining it, and validating all overlapping road districts, except the part thereof which overlaps or embraces any portion of a contiguous road district or road districts, and ratifying all regu-

lar and proper proceedings had with reference to bonds issued therein, and declaring an emergency."

Read first time and referred to the Committee on Roads, Bridges and Ferries.

By Senator Strickland:

S. B. No. 25, A bill to be entitled "An Act to authorize and empower the commissioners court of Anderson County, Texas, to cancel and revoke all previous orders of said court authorizing the issuance of road bonds under the provisions of Chapter 2, Title 18, of the Revised Civil Statutes of Texas, and declaring an emergency."

Read first time and referred to the Committee on Roads, Bridges and Ferries.

By Senator Bee:

S. B. No. 26, A bill to be entitled "An Act to amend Article 2758, Chapter 12, Title 48, of the Revised Civil Statutes of the State of Texas, 1911, relating to the salaries of county superintendents of public instruction, increasing the salaries of said county superintendents, providing for office expenses, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

Message From the House

Hall of the House of Representatives,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed on the following bills:

H. B. No. 31, A bill to be entitled "An Act to establish Common School District No. 19 in Dickens County, Texas, etc., and declaring an emergency."

H. B. No. 30, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so

as to include Armstrong County, and declaring an emergency," with engrossed rider.

H. B. No. 32, A bill to be entitled "An Act to diminish and to re-establish the limits of Talpa Independent School District; repealing all laws so far as they conflict herewith, and declaring an emergency."

H. B. No. 34, A bill to be entitled "An Act to amend Chapter 4, of the Laws of the Regular Session of the Thirty-third Legislature, so as to change the time of holding district court in the various counties of the Seventy-second Judicial District of Texas; declaring what counties shall compose same: attaching the unorganized counties of Hockley and Cochran to the county of Lubbock for judicial and all other purposes, making process issued or served before this act takes effect, including recognizances and bonds returnable to the terms of court as herein fixed, and from all grand and petit juries drawn to be returnable to the corresponding weeks of the terms as herein defined, and declaring an emergency."

H. B. No. 33, A bill to be entitled "An Act amending Article 1361, Chapter 2, Title 28, of the Revised Civil Statutes, so as to provide for the organization of such unorganized or disorganized counties in the State upon the petition of seventy-five qualified voters residing in such unorganized or disorganized county; and that such article when so amended shall read as follows, and declaring an emergency."

H. B. No. 38, Creating Brownfield Independent School District.

H. B. No. 8, A bill to be entitled "An Act prohibiting the manufacture, sale, barter or exchange of spirituous, vinous or malt liquors, or liquors of any character capable of producing intoxication within this State on and after the taking effect of this Act, except for medicinal, mechanical, scientific or sacramental purposes: prohibiting the use of premises, devices and aids in the manufacture, sale, barter or exchange of such liquors; providing penalties for violation of this Act; providing certain civil remedies for the enforcement of the terms of this Act, the same being cumulative of all other remedies relevant thereunto: prescribing the terms upon which li-

quors may be manufactured, sold, bartered or exchanged for medicinal, mechanical, scientific or sacramental purposes; providing procedure for the procuring of evidence for the enforcement of the terms of this Act and providing procedure for the prevention of violations of the terms of this Act; repealing certain laws in conflict herewith, making the terms of this Act cumulative of all other laws upon the subject not in conflict herewith; extending to the entire State the provisions of certain statutes heretofore applicable to local option territory; making it a felony punishable by confinement in the penitentiary to keep a cold storage or place for the keeping for others of such liquors, and punishing corporations by fines, penalties and forfeiture of charters for the violation of this; providing penalties and remedies against officers charged with any duty in connection with the enforcement of this Act for failure to perform such duties; prescribing venue; and declaring an emergency."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, President Pro Tem. Decherd, had referred after their captions had been read, the following House bills:

H. B. No. 31, referred to the Committee on Educational Affairs.

H. B. No. 30, referred to the Committee on Stock and Stock Raising.

H. B. No. 32, referred to the Committee on Educational Affairs.

H. B. No. 34, referred to the Committee on Judicial Districts.

H. B. No. 33, referred to the Committee on Counties and County Boundaries.

H. B. No. 38, referred to the Committee on Educational Affairs.

H. B. No. 8, referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 13 Re-referred.

On motion of Senator Johnston of Harris, Senate Bill No. 13 was re-referred to the Committee on Criminal Jurisprudence, to be considered

further in connection with House Bill No. 8, which is on the same subject.

Senate Concurrent Resolution No. 4.

(By unanimous consent.)

Be it Resolved by the Senate, the House of Representatives concurring, That the Honorable Walter F. Timon, Judge of the Twenty-eighth Judicial District of Texas, be, and is hereby granted leave of absence from the State for a period of ninety days, beginning on the 10th day of March, A. D. 1918, on account of ill health.
PARR.

The resolution was read and adopted.

Senate Concurrent Resolution No. 5.

Resolved by the Senate, the House of Representatives concurring, That the Enrolling Clerk of the House and the Enrolling Clerk of the Senate be directed and required to make carbon copies of all enrolled bills and resolutions that may be sent to the Governor for approval, and that they shall furnish said copies to the Secretary of State at the same time the original enrolled bills, or resolutions are transmitted to the Governor.
CALDWELL.

The resolution was read and adopted.

An Invitation.

The Chair laid before the Senate an invitation from the Daughters of Confederacy to an old fashion tea party Friday night, March 8th at their room on the first floor of the Capitol.

On motion of Senator Bee the invitation was accepted.

House Bill No. 9.

Senator Westbrook called up from the table and the Chair laid before the Senate on second reading:

H. B. No. 9, A bill to be entitled 'An Act to prevent and prohibit in time of war the sale, barter or exchange of spirituous, vinous and malt liquors or medicated bitters capable

of producing intoxication, within ten miles of any fort, arsenal, training camp, cantonment, aviation field or school where soldiers are being quartered, held or trained in time of war in any branch of the army or navy of the United States; to prevent and prohibit the transportation of such liquors into such territory; to provide against application for suspended sentence in such cases; to prohibit the issuance of liquor licenses in such territory; to provide suitable punishment in such cases, and declaring an emergency."

The committee report carrying the committee amendment was adopted as follows:

Amend the bill, page 4, line 5, by striking out the words "its passage" and inserting in lieu thereof the following: "April 15, 1918."

Senator Hopkins made the point of order that the committee amendment provided for striking out words that are not in the bill, and that said amendment is therefore vague, indefinite and unintelligible and cannot be adopted.

The Chair overruled the point of order.

Senator Collins moved to reconsider the vote by which the committee amendment was adopted.

Senator Page made the point of order that under Senate Rule 52, Senator Collins can not move to reconsider because he had not voted with the prevailing side on said amendment.

The point of order was sustained.

Senator Collins then moved to rescind the vote by which the amendment was adopted. The motion to rescind was lost by the following vote:

Yeas—11.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Robbins.
Clark.	Sulter.
Collins.	Westbrook.
Floyd.	

Nays—14.

Bee.	Henderson.
Caldwell.	Johnston of Harris.
Dayton.	Lattimore.
Dean.	McNealus.
Dechêrd.	Page.
Gibson.	Parf.
Hall.	Strickland.

Present—Not Voting.

Faust.

Absent.

Bailey.
Smith.

Woodward.

Absent—Excused.

Hudspeth.

McCollum.

Reasons for Vote.

I vote "nay" on motion to rescind because of my agreement with certain Senators who differ with me on the question of prohibition, that they would help pass the original bill with the emergency clause, if the prohibitionists on our part would give them this consideration.

Knowing that Senators on the other side have enough votes to prevent the original bill from going into effect before ninety days after its passage and desiring to pass the original bill and get it into effect as soon as we can, and knowing fifteen days is much shorter than ninety days, and wishing to show a spirit of fairness to my anti friends, I vote "nay."

Desiring to bring all together in the Democratic party in Texas and get full team work for all war bills, win the war and uphold our President.

DAYTON.

Senator Page offered the following amendments which were read:

(1) Amend the bill, page 1, line 30, by striking out the words "April 1st," and insert in lieu thereof "April 15th."

(2) Amend the bill page 2, line 9, by striking out the words "April 1st" and insert in lieu thereof "April 15th."

(3) Amend the bill page 2, line 21, by striking out the words "April 1st" and insert in lieu thereof "April 15th."

(4) Amend the bill page 3, line 3, by striking out the words "April 1st," and insert in lieu thereof "April 15th."

(5) Amend the bill page 4, line 15, by striking out the words "April 1st," and insert in lieu thereof "April 15th."

By unanimous consent the foregoing amendments were collectively adopted by the following vote:

Yeas—17.

Bee.	Henderson.
Caldwell.	Johnston of Harris
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Robbins.
Gibson.	Strickland.
Hall.	

Nays—9.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Suiter.
Collins.	Westbrook.
Floyd.	

Absent.

Smith.	Woodward.
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Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

Senator Lattimore offered the following amendments which were read and adopted, seriatim:

(6) Amend House Bill No. 9 by inserting in Sections 2, 3 and 4, after the words, "war," in each section, the following, "between the United States and any other country."

(7) Amend House Bill No. 9 by striking out the engrossed rider added to Section 1 of said bill and by striking out all after the words "stationed," in next to the last line of section two of said bill; and by inserting after Section 2, a new section to be known as Section 2a, and to read as follows:

"It shall hereafter be unlawful for any person in time of war between the United States and any foreign country to sell, barter or exchange any spirituous, vinous or malt liquor, or medicated bitters capable of producing intoxication within ten miles of any place used as a yard, or place where ships are being built under contract with the government of the United States, except as herein provided."

LATTIMORE.

(8) Amend pending bill by striking out present Section 3a and inserting in lieu thereof the following:

Section 3a. The preceding articles shall not apply to the sale of wine for sacramental purposes, nor

to the sale of alcoholic liquors as medicines in case of actual sickness; but such alcoholic liquor shall only be sold in such zone or territory upon the prescription of a regular practicing physician, dated and signed by him and certified on his honor that he (the physician) has personally examined the applicant (naming him), and that he finds him actually sick and in need of the alcoholic liquor prescribed, as a medicine: provided, that a physician who does not follow the profession of medicine as his principal or usual calling, or who is in any way, directly or indirectly, engaged in the sale of such stimulants on his own account or as the agent, employe, or partner of others, shall not be authorized to give the prescription provided for in this article; and provided, further, that no person shall be permitted to sell more than once on the same prescription, nor upon a prescription which has been canceled, nor on a prescription which is not dated, signed and certified as above required; provided, that every person selling such stimulants upon a prescription herein provided for shall cancel such prescription by indorsing on it the word "canceled," and file the same away, and on the first day of May, 1918, and every month thereafter, file the said prescription with the clerk of the district court, accompanied by an affidavit, stating that he has sold no intoxicating liquor other than that named in the prescription filed, which said prescription shall be preserved by the clerk of the district court for a period of three years from and after the date of filing, subject to the inspection of the grand jury, district, county and precinct officers; provided that the preceding article shall not apply to the sale of ethyl alcohol in quantities of one gallon or more by or to any person, firm or corporation engaged in the wholesale drug business, or by, or to any owner, proprietor, agent or employe of any retail drug store, whether incorporated or unincorporated in which drugs are compounded, and employing a registered pharmacist for the purpose of being used in such retail drug business; provided further that every person, firm or corporation shall have first paid the taxes and procured the license required by Article 7475, of the Re-

vised Civil Statutes of Texas, and have complied with the law regulating such sales in local option territory.

LATTIMORE.

Senator Bee offered the following amendment which was read and adopted:

Amendment No. 1, to amendment No. 8.

Amend the amendment by inserting after the word "the" in line 2, of said amendment, the following words, "bona fide shipment or."

BEE.

Action then recurred upon the pending amendment No. 8, and the same was adopted as amended.

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 9 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Collins.	McNealus.
Dayton.	Page.
Dean.	Robbins.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.

Nays—4.

Clark.	Hall.
Faust.	Parr.

Absent.

Smith.	Woodward.
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Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Westbrook, was passed by the following vote:

Yeas—22.

Alderdice.	Buchanan of Scurry.
Bee.	Caldwell.
Buchanan of Bell.	Collins.

Dayton.	Johnston of Harris.
Dean.	Lattimore.
Decherd.	McCollum.
Floyd.	McNealus.
Gibson.	Page.
Henderson.	Robbins.
Hopkins.	Suiter.
Johnson of Hall.	Westbrook.

Nays—1

Clark.

Present—Not Voting.

Faust.

Hall.

Absent.

Bailey.

Woodward.

Pairs Recorded.

Senator Parr (present), who would vote "nay"; Senator Smith (absent), who would vote "yea."

Senator Strickland (present), who would vote "yea"; Senator Hudspeth (absent), who would vote "nay."

Senator Westbrook moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

Simple Resolution No. 30.

(Courtesy Resolution.)

Whereas, The Hon. R. E. L. Knight, of Dallas, Chairman of the Committee on Co-ordination of War Organizations in Texas is in the city; therefore, be it

Resolved, That Mr. Knight be accorded the privileges of the floor of the Senate Chamber and be requested to address the Senate.

McNEALUS.

The resolution was read and adopted, and Judge Knight made a patriotic address.

House Bill No. 14—Free Conference Committee Elected.

Senator Dean made the following written motion:

I move that the Senate grant the request of the House for a Free Conference Committee on House Bill No.

14, and that the following be elected on the part of the Senate:

Senators Collins, Lattimore, Page, Hopkins, Robbins.

DEAN.

The motion was read and adopted, carrying the election of the committee named.

Adjournment.

At 4:45 o'clock p. m., Senator Westbrook moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion prevailed.

APPENDIX.

Petitions and Memorials.

Senator Hall offered a telegram from Capt. C. Nicolini of Galveston, opposing the zone bill.

The Chair filed numerous telegrams from Houston favoring suffrage bill; also a telegram from Texarkana on the same subject.

Senator Collins offered four numerous signed petitions from Orange in opposition to the zone bill.

Senators Clark and Buchanan of Scurry offered several petitions from citizens of their district in opposition to amendment of election law of the State.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 17 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 18 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 21 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

TENTH DAY.

Senate Chamber,
Austin, Texas,
Friday, March 8, 1918.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent—Excused.

Balley.	McCollum.
Hudspeth.	Smith.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Johnson of Hall

Excused.

Senator Bailey was excused for today on account of illness on motion of Senator Faust.

Senator Smith for yesterday and the remainder of this week on account of important business on motion of Senator Suiter.

Petitions and Memorials.

Senator Strickland offered a mem-